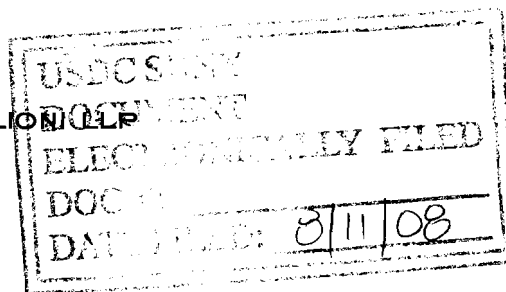


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August 8, 2008

Via Federal Express

Honorable Richard M. Berman
United States District Judge
Southern District of New York
40 Centre Street, Courtroom 706
New York, NY 10007

MEMO ENDORSED
p. 2

**Re: *Resch, et al v. Beachcomber USA, Inc., et al*, Case No. 1:08-cv-06064-RMB
Defendants' Request for Extension of Time to Plead**

Dear Judge Berman:

I am writing this letter on behalf of the Defendants, Beachcomber USA, Inc. and All American Industries, Corp. We would like to request an extension of time within which to answer or file a motion in response to the Complaint in the above-referenced lawsuit.

In this matter, we must plead by Monday, August 11, 2008, and this is our first request for an extension. We have assessed the claims in Counts IV, V and VI of the Complaint and believe they fail to state claims for which relief can be granted. Through a letter of separate cover, we have requested a pre-motion conference in this matter to discuss the filing of a motion to dismiss those counts. As such, we request an extension of time to file a motion to dismiss until one day after the pre-motion conference. Furthermore, if the conference is not granted, or if the

conference does not result in the filing of a motion to dismiss, we would like to request an extension until ten (10) days after the conference within which to file an answer.

We have attempted to communicate with Plaintiffs' counsel to ascertain their position on an extension of time, pursuant to Your Honor's Individual Practices, but had not heard back from them at the time of this mailing.

We appreciate your time and consideration on this matter.

Very Truly Yours,

Scott Harrington

Scott M. Harrington, Esq.

Cc: Timothy Ronan, Esq.
Cara Ann Ceraso, Esq.
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<u>Extension of time to 8/20/08</u>	
<u>granted.</u>	
SO ORDERED:	<i>Richard M. Berman</i>
Date: <u>8/11/08</u>	
Richard M. Berman, U.S.D.J.	

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